

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
March 21, 2011**

**CALL TO ORDER**

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on March 21, 2011, at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance to the flag.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to approve the March 21, 2011 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Mayor Martin presented a plaque and proclamation to Greg Dorr and Andrew Howe who have earned the rank of Eagle Scout in the Boy Scouts of America.

Greg stated that he put new landscaping in at Lyngblomsten Nursing Home, which took 197 man hours. All old rock was removed. Residents were very appreciative.

WHEREAS, Greg Dorr, a student at Mounds View High School and son of Steve and Suzanne Dorr, has earned the rank of Eagle Scout, the highest of ranks in the Boy Scouts of America; and

WHEREAS, to attain the rank of Eagle Scout, Greg had to complete a special Eagle Scout Service Project; and

WHEREAS, Greg planned and recruited volunteers to install new landscaping at Lyngblomsten Care Center in St. Paul by replacing all the old plants and rocks with new plants and woodchips; and

WHEREAS, Greg has been a Confirmation teacher at Incarnation Lutheran Church for 3 years and is also employed there; and

WHEREAS, Greg is the captain of the Robotics Design and Build Team for Mounds View High School Robotics Team; and

WHEREAS, Greg enjoys rugby and played tuba in the high school band for many years.

NOW, THEREFORE, BE IT RESOLVED that I, Sandra C. Martin, Mayor of Shoreview, on behalf of the Shoreview City Council, do hereby congratulate Greg Dorr for his many accomplishments and his achievement of the rank of Eagle Scout.

Andrew stated that his project took 550 man hours over several months, but the Courage Center was very appreciative of the work done.

WHEREAS, Andrew James Howe, a student at Mounds View High School and son of Sue and Kent Howe of Shoreview, has earned the rank of Eagle Scout, the highest of ranks in the Boy Scouts of America; and

WHEREAS, to attain the rank of Eagle Scout, Andrew had to complete a special Eagle Scout Service Project; and

WHEREAS, Andrew organized and led a group of volunteers that spent over 500 hours building a storage shed for Courage Center Ski and Snowboard Program, a nonprofit organization which serves over 200 participants with physical disabilities or visual impairments; and

WHEREAS, Andrew is the Captain of Trumpet Section and Outstanding Brass Member in Irondale Marching Knights and has been accepted and received a scholarship to Embry-Riddle Aeronautical University; and

WHEREAS, Andrew also enjoys hockey, ultimate Frisbee, disc golf and robotics.

NOW, THEREFORE, BE IT RESOLVED that I, Sandra C. Martin, on behalf of the Shoreview City Council, do hereby congratulate Andrew James Howe for his many accomplishments and his achievement of the rank of Eagle Scout.

**CITIZEN COMMENTS**

There were none.

**COUNCIL COMMENTS**

**Mayor Martin:**

Shoreview Northern Lights Variety Band will present their spring concert on April 16, 2011, at 7:00 p.m. at Benson Great Hall on the campus of Bethel University. Tickets are available on line at the band website and at City Hall. Tickets are \$10, or \$12 at the door.

The Northwest Youth and Family Services Leadership Luncheon will be held on Tuesday, May 3, 2011. It is open to anyone interested. There is no cost for the lunch, but a donation is requested. The speaker is Matt Kramer, President of the St. Paul Chamber of Commerce.

**Councilmember Wickstrom:**

The final EQC seminar series will be Wednesday, April 20, 2011, at 7:00 at the Community Center. The program will be on composting.

The Ramsey County League of Local Governments meeting will be Thursday, March 24, 2011, at 7:00 p.m., at Irondale High School. The program is on citizen involvement and the Citizen Academy. All Councilmembers and interested staff are encouraged to attend.

**Councilmember Withhart:**

On Saturday, March 26, 2011, there will be a Buckthorn removal at Snail Lake/Grass Lake Regional Park from 8:30 to 12:30. All details are posted on the City website.

**CONSENT AGENDA**

Item No. 2, Minutes of March 7, 2011 City Council Meeting, was considered separately, as Mayor Martin did not attend that meeting.

No. 11, Shoreview Home Energy Loan Program, was pulled for separate discussion. Councilmember Wickstrom thanked the Economic Development Authority (EDA) for including town homes in the loan opportunity.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Wickstrom to adopt the consent agenda of March 21, 2011, approving the necessary motions and resolutions with the exception of item No. 2:

1. February 22, 2011 City Council Workshop Meeting Minutes
3. Receipt of Committee/Commission Minutes:
  - Bikeways and Trails Committee, January 6, 2011
  - Environmental Quality Committee, January 24, 2011
  - Bikeways and Trails Committee, February 3, 2011
  - Economic Development Authority, February 14, 2011
  - Environmental Quality Committee, February 28, 2011
4. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
5. Verified Claims in the Amount of \$691,978.98
6. Purchases
7. License Applications
8. Authorization for Replacement Purchase of Crack Filling Equipment
9. Approval of Private Street Sweeping Agreements
10. Renewed and Modified Consultation Services Agreement with Greater Metropolitan Housing Corporation
11. Shoreview Home Energy Improvement Loan Program - Expanding Eligible Improvements for Townhomes

VOTE:                      Ayes - 5                      Nays - 0

MOTION:      by Councilmember Withhart, seconded by Councilmember Wickstrom to approve item No. 2, City Council Meeting Minutes, March 7, 2011, as submitted.

VOTE:                      Ayes - 4                      Nays - 0                      Abstain - 1 (Martin)

## **PUBLIC HEARINGS**

There were none.

## **GENERAL BUSINESS**

### **MINOR SUBDIVISION, 5277 HODGSON ROAD, JANICE AND CARL JOHNSON**

#### **Presentation by City Planner Kathleen Nordine**

The proposal is to divide the property into two single-family residential lots. The property is located on Turtle Lake and consists of almost four acres. Currently, it is developed with a house and several detached accessory structures. All existing structures with the exception of the

boathouse would be removed with the minor subdivision. The property is zoned RE40, Residential Estate. The proposed lots comply with lot criteria and City development standards.

The applicant is requesting separate driveway access for each property off Hodgson Road. Staff is recommending a shared driveway for the proposed lots, as Hodgson is an arterial road that carries heavy traffic. This is consistent with recommended shared drives on other arterial roads in the City. Also, Ramsey County recommends a shared drive to limit access to Hodgson Road for safety. A permit from Ramsey County is required for any work in the road right-of-way.

Property owners within 350 feet were notified. Two comments were received, one in support and one opposed to creating another lake front lot. There are no concerns expressed by the DNR. The Rice Creek Watershed District requires a permit. Lake Johanna Fire Department has indicated that the current access is sufficient to accommodate emergency vehicles.

The Planning Commission reviewed this application at its March 1, 2011 meeting, and recommended approval on a 6 to 0 vote. The Planning Commission supports a shared access for public safety reasons on Hodgson Road.

Staff is recommending approval with a shared access and subject to the conditions listed in the staff report.

**Mr. Carl Johnson**, 4150 Thornhill Lane, Vadnais Heights, stated that the property at 5277 Hodgson Road is on the market. The application is for pre-approval for a lot split for prospective buyers. The home could be retained and expanded. The survey has been completed. The shared drive required by the Planning Commission also requires easement and maintenance agreements, which could generate disagreements if the property is split. This is restrictive to any potential buyer. He has been unable to find any mandate that a shared driveway be used. In an email dated 2/22/11, Ramsey County Public Works recommends a shared driveway but would not require it. The City's Comprehensive Plan identifies this area specifically in PDA #5 and states that shared driveways may be appropriate for lots of 24,000 square feet or less. This property is in excess of 80,000 square feet. A shared access would double the frequency of use and, he believes, would be a safety issue for the trail and road, especially with a car going out and coming in at the same time.

**Mr. Johnson** requested that condition Nos. 3 and 4 be reworded to allow the buyer/developer of the subject parcels the option to have private or shared access subject to agency reviews of development plans.

Planning Commissioner Steve Solomonson stated that the major discussion focused on the shared access. He noted that the shared access does not mean a shared driveway. The shared access may only be 50 feet with 800 feet of private driveway with the depth of the lots.

Councilmember Huffman asked if it would create hardship to have two accesses. Commissioner Solomonson responded that policy on arterial roads is to minimize curb cuts.

**Mr. David Vanneste**, 5315 Hodgson Road, stated that a third scenario might be two parties buying the whole thing and then splitting the property. He emphasized the backup that would be caused if one car is turning in and one turning out, especially if there are two households with four or five drivers. More cars on Hodgson Road will be trying to pass on the shoulder.

Councilmember Withhart asked for further clarification of the safety factor for a shared access. Mr. Maloney stated that it is a County policy to consolidate access points on arterial roadways. More driveways across trails cause more conflict.

Mayor Martin stated that if there are two buyers, she would like to give the purchasers the flexibility to decide whether to have a shared access and eliminate condition No. 3.

Councilmember Wickstrom stated she would agree to the change, but would want to keep reference to approval by the Lake Johanna Fire Department and the Public Works Director. There is potential for further subdivision. Mr. Schwerm proposed the following changed language to No. 3: "If a shared driveway is pursued, it is subject to the review and approval by the Lake Johanna Fire Department and the Public Works Director."

Councilmember Withhart stated that he would not support a change to the motion, as it would be inconsistent with past City actions, Ramsey County policy and the safety issues. Addition of another driveway can have a cumulative effect.

Councilmember Quigley stated that his concern is any language change that would impact the other four PDAs because the issue will come up again on all parts of the lake. That is why he would be reluctant to support a change.

Councilmember Wickstrom stated that it is possible the lots could be further subdivided. Her preference is for a shared driveway, but if further subdivided she would not want to have to consider further split driveways. Ms. Nordine noted that further subdivision with a lake lot and road lot would require a variance because City Code requires that each created lot have frontage on a public road.

Councilmember Huffman stated that he would like to maximize the developer's flexibility to decide whether there should be a shared driveway because of the large size of the lots.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Wickstrom, to approve the Minor Subdivision application submitted by Janice and Carl Johnson for the property located at 5277 Hodgson Road, and authorize execution of the Site Development Agreement, subject to the following conditions, eliminating condition No. 3 and changing condition No. 4 to read:

1. The minor subdivision shall be in accordance with the plans submitted.
2. The removal of the existing house and detached accessory structures, except the boathouse, shall occur prior to the City endorsement of the deeds.
4. The property owner is encouraged to execute shared driveway easements as necessary. The driveway easement and maintenance agreements shall be submitted to the City Attorney, Lake Johanna Fire Department Fire Marshal and to the Public Works Director.
5. The applicant shall pay a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City will endorse deeds for recording. The fee, with credit given for the existing residence, will be based on 1% of the fair market value for this minor subdivision, with credit given for the existing residence.
6. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
7. Municipal water and sanitary sewer service shall be provided to both resulting lots.
8. The applicants shall enter into a Development Agreement with the City. This agreement shall be executed prior to the City's release of the deeds for recording.
9. The Development Agreement will specify setback requirements for future dwellings on Parcels A and B.
10. Work in the Hodgson Road right-of-way is subject to the permitting requirements of Ramsey County and all required County permits shall be obtained prior to issuance of any City permits for new dwellings.
11. Construction of new residences is subject to the permitting requirements of the Rice Creek Watershed District (RCWD). Necessary permits from the RCWD shall be secured prior to the issuance of any City permits for the property.
12. Tree removal requires replacement trees per City Code. City requirements for the tree removal and protection plan shall be detailed in the Development Agreement. Tree protection and replacement plans shall be submitted with applications for building permits for each resulting parcel.
13. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

This approval is based on the following findings:

1. The proposed lots conform to the adopted City standards for new lots.
2. Municipal water and sanitary sewer service will be provided for each proposed parcel.
3. The Public Use Dedication Fee will be paid for the resulting new parcel.

**Discussion:**

City Attorney Filla further amended condition No. 4 so the second sentence would begin “Any driveway easements.”

Councilmember Withhart asked if the two decisions could be separated. He is in favor of the minor subdivision, but not allowing the option of separate driveways. Mayor Martin stated it is hard to see what could be gained, as the Development Agreement and motion would have to have a major rewriting.

Mayor Martin asked if the change to the Development Agreement needs to be addressed. Ms. Nordine stated that staff can make modifications to comply with the Council’s motion.

Mr. Schwerm offered an amendment to the main motion that would authorize execution of an amended Development Agreement and that reference to “amended Development Agreement” be stated in condition No. 8.

Councilmembers Huffman and Wickstrom accepted this change to the motion.

In response to Councilmember Quigley’s concern, Mayor Martin noted that the Council always does have the right to make changes.

Councilmember Quigley stated that he will support the motion, although he agrees with Councilmember Withhart’s concerns.

Councilmember Withhart stated that the main action is to allow the subdivision and for that reason he will vote for the motion.

ROLL CALL:           Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin  
                              Nays: None

**APPROVAL OF AGREEMENT WITH SEH--TURTLE LAKE AUGMENTATION  
CONCEPT STUDY**

**Presentation by Public Works Director Mark Maloney**

This study would explore augmentation for Turtle Lake based on concerns of the homeowners association that were discussed at the last Council workshop meeting. The homeowners association has indicated agreement for sharing the cost of the proposed study. The purpose of the study would be for SEH to explore how Turtle Lake can be augmented and develop an estimated cost of augmentation; and to identify first steps to create a lake improvement district for Turtle Lake.



Turtle Lake is a shallow ground water fed lake, similar to Snail Lake. Its groundwater augmentation system was removed in 1989. As long as the deep well augmentation source functioned, there was a predictable lake level for Turtle Lake.

Mr. Lobermeier, SEH, helped Shoreview create the Snail Lake Improvement District (SLID) and is available for this project as well.

Mayor Martin noted that the cost of \$10,000 will be split between the City and homeowners association.

Councilmember Withhart asked where funding for this study would come from in the City's budget. Mr. Schwerm answered the Surface Water Management Fund has sufficient funds for the study. This expenditure will not drive any rate increases for surface water. Turtle Lake is going to forego the \$2,000 that would be given this year for control of invasive plant species. It is difficult for homeowners to make any informal decision about augmentation without further information and an estimated cost.

Councilmember Wickstrom noted that there is a lot of public land around Snail Lake, while Turtle Lake is almost all privately owned. She would like to see a formula developed based on the amount of public land that would determine City participation. Not enough money has been pledged from homeowners to move forward. She would like to see the homeowners pay a higher amount toward this study.

Councilmember Withhart stated that the survey showed 50% for augmentation and another 25% to 30% who indicated "maybe" but would like more information. No commitment has been made on the part of the City toward any cost associated with augmentation of this lake.

Mayor Martin stated that there was 83% approval on Snail Lake. If a lake improvement district is created, she would want to see that range of support on Turtle Lake.

Councilmember Quigley stated that there is much to learn and the study will provide good data that will allow the homeowners to decide their level of participation if there is a project.

**MOTION:** by Councilmember Quigley, seconded by Councilmember Withhart to approve an agreement with SEH for a preliminary concept study for a Turtle Lake Augmentation System in the amount of \$10,000 with the cost to be split between the Turtle Lake Homeowners Association and the City.

**Discussion:**

Councilmember Wickstrom asked if the motion should include further explanation of use of the money for invasive species on Turtle Lake for this study.

Mayor Martin responded that as the City has control of that money, there is no need to make that stipulation.

ROLL CALL:           Ayes: Quigley, Wickstrom, Withhart, Huffman, Martin  
                              Nays: None

**APPROVAL OF AGREEMENT WITH BRAUER & ASSOCIATES--COMMONS PARK PROJECT**

**Presentation by City Manager Terry Schwerm**

At its last workshop meeting, the Council met with representatives from the Shoreview Community Foundation to discuss a “signature project” the Foundation wishes to undertake in Commons Park. The scope of the project has not been determined, but the concept proposed is a pond overlook/photo opportunity site near the pavilion. The Council indicated support of the project and is being requested to approve an agreement with Brauer & Associates to assist in the preparation of a schematic concept design for this project. One of the elements in the Master Plan for the Commons area is an overlook. Brauer would assist in developing this concept. Brauer would meet with Foundation representatives, staff and the City Council in the process. The cost for the schematic design is \$5,500.

Councilmember Huffman asked the City’s responsibility toward the cost. Mr. Schwerm stated that the City would pay the initial costs of schematic design but the overall project is viewed as a shared project between the Foundation and City. Final numbers are not known at this time.

Councilmember Wickstrom asked if the concept cost would impact work on other parks. Mr. Schwerm stated that the money for the concept plan will not impact any other work in parks.

Councilmember Withhart stated that the project will ultimately belong to the City, and it is important that it fit the Master Plan and that this study be done.

Mayor Martin stated that under current financial constraints, the City would not be able to do such a project but working with the Foundation as a signature project makes it possible.

MOTION:     by Councilmember Withhart, seconded by Councilmember Wickstrom to approve an agreement with Brauer & Associates for the Shoreview Commons Overlook Schematic Planning and Design in the amount of \$5500.

ROLL CALL:           Ayes: Wickstrom, Withhart, Huffman, Quigley, Martin  
                              Nays: None

**APPOINTMENT TO ENVIRONMENTAL QUALITY COMMITTEE**

City Manager Schwerm stated that the EQC has one vacancy and received one application. The application was reviewed at their February 2011 meeting and are recommending that Lisa Shaffer-Schreiber be appointed to a term ending in 2014.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Huffman to appoint Lisa Shaffer-Schreiber to the Environmental Quality Committee for a term ending January 31, 2014.

VOTE: Ayes - 5 Nays - 0

**ADJOURNMENT**

MOTION: by Councilmember Withhart, seconded by Councilmember Huffman to adjourn the meeting at 8:22 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 4<sup>th</sup> DAY OF APRIL 2011.

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Terry C. Schwerm  
City Manager